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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner : Dr. A.M.S. Beckerleg
Group Art Unit : 1632
Applicants : R. Kucherlapati et al.
Application No.: 08/031,801 Confirmation No.: 1945
Filed : March 15, 1993
For : GENERATION OF XENOGENEIC ANTIBODIES

New York, New York
December 20, 2001

Hon. Assistant Commissioner
for Patents
P.O. Box 2327
Arlington, VA 22202

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DEC 31 2001
TECH CENTER 1600/2900

TERMINAL DISCLAIMER
UNDER 37 C.F.R. § 1.321(b,c)

Sir:

Abgenix, Inc., a corporation of the State of Delaware, having an office and place of business at Fremont, California, represents that it is the assignee of record of the entire right, title and interest, by assignment, of the following United States patent and pending application:

1. United States patent 6,114,598 for "GENERATION OF XENOGENEIC ANTIBODIES", issued September 5, 2000 on application 08/464,582, filed June 5, 1995; and

2. United States patent application 08/031,801 ("the '801 application") for "GENERATION OF XENOGENEIC ANTIBODIES", filed March 15, 1993.

01/08/2002 PRIMER 000002 061075 08031801
\$55.00

An assignment of the present application, Application No. 08/031,801, to Abgenix, Inc. was recorded on September 2, 1997 at Reel 8694, Frame 0694 (copy enclosed).

The undersigned, on behalf of the applicants and Abgenix, Inc. ("the Assignee"), hereby disclaims the terminal portion of a patent granted on the present application, Application No. 08/031,801, which extends beyond the expiration date of the full statutory term of United States patent 6,114,598. The Assignee hereby agrees that a patent granted on the present application, Application No. 08/031,801, shall be enforceable only for and during such period that it and the 6,114,598 patent are commonly owned. This disclaimer is binding upon the grantee of a patent granted on the '801 application, its successors and assigns.

The undersigned, on behalf of Abgenix, Inc., does not disclaim any terminal part of a patent granted on the above-identified Application No. 08/031,801, that would extend to the expiration date of the full statutory term of United States patent 6,114,598 in the event that said patent: (a) expires for failure to pay a maintenance fee, (b) is held unenforceable, (c) is found invalid, (d) is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a,b), (e) has all claims canceled by a reexamination certificate, or (f) is otherwise terminated prior to expiration of its statutory term.

The undersigned hereby states and certifies that:

1. She is an attorney for applicants and is authorized to act on behalf of the assignee, Abgenix, Inc. in connection with the above-identified '801 application; and

2. The relevant evidentiary documents have been reviewed and, to the best of the undersigned's and

Assignee's knowledge and belief, title to the above-identified application no. 08/031,801, is in Assignee.

Although no fee is believed to be required for the filing of this terminal disclaimer, the United States Patent and Trademark Office is hereby authorized to charge payment of any fee that may be required to Deposit Account No. 06-1075 if a fee is required. A duplicate of this Disclaimer is enclosed.

ABGENIX, INC.

By: Jane T. Gunnison
Jane T. Gunnison (Reg. No. 38,479)
Attorney for Applicants
and Assignee
FISH & NEAVE
1251 Avenue of the Americas
New York, New York 10020-1104
Tel.: (212) 596-9000

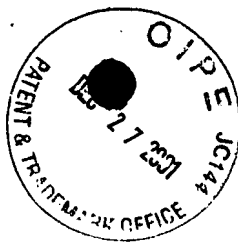
New York, New York

Date: 12/20/01

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PATENTS P.O. Box 2327
ARLINGTON, VA. 22202 on

December 20, 2001
Lillian Garcia

Lillian Garcia
Signature of Person Signing



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

OCTOBER 10, 1997

FISH & NEAVE
JAMES F. HALEY, JR.
1251 AVENUE OF THE AMERICAS
NEW YORK, NY 10020

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FISH & NEAVE - PATENT DEP-
REFERRED TO _____

UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, NORTH TOWER BUILDING, SUITE 10C35, WASHINGTON, D.C. 20231.

RECORDATION DATE: 09/02/1997

REEL/FRAME: 8694/0694
NUMBER OF PAGES: 8

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:
CELL GENESYS, INC.

DOC DATE: 07/15/1996

ASSIGNEE:
ABGENIX, INC.
7601 DUMBARTON CIRCLE
FREMONT, CALIFORNIA 94555

SERIAL NUMBER: 07466008
PATENT NUMBER:

FILING DATE: 01/12/1990
ISSUE DATE:

SERIAL NUMBER: 07610515
PATENT NUMBER:

FILING DATE: 11/08/1990
ISSUE DATE:

SERIAL NUMBER: 07922649
PATENT NUMBER:

FILING DATE: 07/30/1992
ISSUE DATE:

SERIAL NUMBER: 08031801

FILING DATE: 03/15/1993
ISSUE DATE:

~~PATENT NUMBER: 08031801~~ ~~SEE DOCUMENT FOR DETAILS~~

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SERIAL NUMBER: 08112848
PATENT NUMBER:

FILING DATE: 08/27/1993
ISSUE DATE:

SERIAL NUMBER: 08234145
PATENT NUMBER:

FILING DATE: 04/28/1994
ISSUE DATE:

SERIAL NUMBER: 08376279
PATENT NUMBER:

FILING DATE: 01/20/1995
ISSUE DATE:

SERIAL NUMBER: 08430938
PATENT NUMBER:

FILING DATE: 04/27/1995
ISSUE DATE:

SERIAL NUMBER: 08464584
PATENT NUMBER:

FILING DATE: 06/05/1995
ISSUE DATE:

SERIAL NUMBER: 08464582
PATENT NUMBER:

FILING DATE: 06/05/1995
ISSUE DATE:

SERIAL NUMBER: 08463191
PATENT NUMBER:

FILING DATE: 06/05/1995
ISSUE DATE:

SERIAL NUMBER: 08462837
PATENT NUMBER:

FILING DATE: 06/05/1995
ISSUE DATE:

SERIAL NUMBER: 08486853
PATENT NUMBER:

FILING DATE: 06/07/1995
ISSUE DATE:

SERIAL NUMBER: 08486857
PATENT NUMBER:

FILING DATE: 06/07/1995
ISSUE DATE:

SERIAL NUMBER: 08486859
PATENT NUMBER:

FILING DATE: 06/07/1995
ISSUE DATE:

SERIAL NUMBER: 08462513
PATENT NUMBER:

FILING DATE: 06/05/1995
ISSUE DATE:

STEVEN POST, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

MRD 9-2-97

09-18-1997

H. E. T.

U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

SEP 02 1997

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To the Honorable Commissioner of Pat.

100534810

checked original documents or copy thereof.

1. Name of conveying party(ies):

Cell Genesys, Inc.

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

3. Nature of conveyance:

☒ Assignment☐ Merger☐ Security Agreement☐ Change of Name☐ Other

Execution Date: July 15, 1996

2. Name and address of receiving party(ies)

Name: Abgenix, Inc.

Internal Address:

Street Address: 7601 Dumbarton Circle

City: Fremont State: CA ZIP: 94555

Additional name(s) & address(es) attached? ☐ Yes ☒ No

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is:

A. Patent Application No.(s)

07/466,008

07/610,515

B. Patent No.(s)

Additional numbers attached? ☒ Yes ☐ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: James F. Haley, Jr., Esq.

Internal Address: FISH & NEAVE

Street Address: 1251 Avenue of the Americas

City: New York State: NY ZIP: 10020

6. Total number of applications and patents involved:

16

7. Total fee (37 CFR 3.41).....\$ 640.00

☒ Enclosed☐ Authorized to be charged to deposit account

8. Deposit account number:

06-1075

(Attach duplicate copy of this page if paying by deposit account)

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Jane T. Gunnison

Name of Person Signing

Reg. No. 38,479

Signature

8/28/97 Date

Total number of pages including cover sheet, attachments, and document:

Mail documents to be recorded with required cover sheet information to:
Commissioner of Patents & Trademarks, Box AssignmentsRECEIVED
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RECORDATION FORM COVER SHEET

Page 2

4. Additional Application Nos.

07/922,649
08/031,801
08/112,848
08/234,145
08/376,279
08/430,938
08/464,584
08/464,582
08/463,191
08/462,837
08/486,853
08/486,857
08/486,859
08/462,513

PATENT ASSIGNMENT

THIS PATENT ASSIGNMENT (the "Assignment") is made as of this 15th day of July, 1996, by Cell Genesys, Inc., a Delaware corporation ("CG"), in favor of Abgenix, Inc., a Delaware corporation ("ABGENIX").

R E C I T A L S

A. CG and ABGENIX have entered into a Stock Purchase and Transfer Agreement dated as of July 15, 1996 (the "Agreement"), pursuant to which CG shall transfer to ABGENIX certain assets of CG related to the Antibody Business, as defined therein.

B. For good and valuable consideration, the adequacy and receipt of which is hereby acknowledged by CG, CG desires to give this Assignment for the purpose of effecting such transfer pursuant to the provisions of the Agreement.

CG AGREES AS FOLLOWS:

1. Assignment of All of the Patents of CG.

CG does hereby sell, convey, assign, transfer, and deliver to ABGENIX, its successors and assigns, all of CG's right, title and interest in and to the patents and patent applications set forth on Exhibit A hereto, and to all continuations, continuations-in-part, divisionals, reexaminations, reissues or extensions thereof.

2. Documentation.

CG agrees to execute, at the request of ABGENIX, all additional documentation that may be reasonably required in order to perfect the foregoing conveyance, assignment and transfer.

3. No Rights in Third Parties.

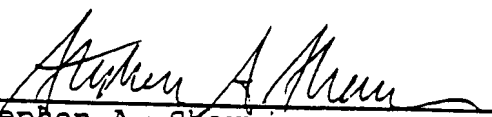
Nothing expressed or implied in this Assignment is intended to confer upon any person, other than the parties to the Agreement and their respective successors and assigns, any rights, remedies, obligations or liabilities under or by reason of this Assignment.

4. Successors and Assignees.

This Assignment is executed pursuant to the Agreement and is entitled to the benefits thereof and shall be binding upon and inure to the benefit of CG and ABGENIX and their respective successors and assigns.

IN WITNESS WHEREOF, CG has executed this Assignment on the date first above written.

CELL GENESYS, INC.

By: 
Stephen A. Sherwin
President and Chief Executive Officer

CORPORATE ACKNOWLEDGMENT

STATE OF California)
COUNTY OF San Mateo) ss.

On this 19th day of July, 1996, before me,
Renee Lamantia, the undersigned Notary Public, personally
appeared Stephen A. Shurwin personally known to me (or proved to me
on the basis of satisfactory evidence) to be the person who
executed the above and foregoing PATENT ASSIGNMENT as President: CEO,
on behalf of the corporation therein named, and acknowledged to
me that the corporation executed it.

WITNESS my hand and official seal.



Renee Lamantia
Notary Public in and for said State

EXHIBIT A

Patents

Schedule 1

Serial No.	Filing Date	Title	Inventors
07/466,008	1/12/90	Generation of Xenogeneic Antibodies	Kucherlapati
07/610,515	11/8/90	Generation of Xenogeneic Antibodies	Kucherlapati, Jakobovits
07/922649	7/30/92	Generation of Xenogeneic Antibodies	Kucherlapati, Jakobovits
8/031,801	3/15/93	Generation of Xenogeneic Antibodies	Kucherlapati, Jakobovits, Klapholz, Brenner, Capon
08/112,848	8/27/93	Generation of Xenogeneic Antibodies	Kucherlapati, Jakobovits, Klapholz, Brenner, Capon
08/234,145	4/28/94	Generation of Xenogeneic Antibodies	Kucherlapati, Jakobovits, Klapholz, Brenner, Capon
08/376,279	1/20/95	Method to Improve Screening Efficiency in Fused Cells	Jakobovits, Hardy, Green
08/430,938	4/27/95	Human Antibodies Derived from Immunized Xenomice	Kucherlapati, Jakobovits, Klapholz, Brenner, Capon
08/464,584	6/5/95	Method to Improve Screening Efficiency in Fused Cells	Jakobovits, Hardy, Green
08/464,582	6/5/95	Generation of Xenogeneic Antibodies	Kucherlapati, Jakobovits, Klapholz, Brenner, Capon
08/463,191	6/5/95	Generation of Xenogeneic Antibodies	Kucherlapati, Jakobovits

Schedule 1

Serial No.	Filing Date	Title	Inventors
08/462,837	6/5/95	Generation of Xenogeneic Antibodies	Kucherlapati, Jakobovits, Klapholz, Brenner, Capon
08/486,853	6/7/95	Human Antibodies Derived from Immunized Xenomice	Kucherlapati, Jakobovits, Klapholz, Brenner, Capon
08/486,857	6/7/95	Human Antibodies Derived from Immunized Xenomice	Kucherlapati, Jakobovits, Klapholz, Brenner, Capon
08/486,859	6/7/95	Human Antibodies Derived from Immunized Xenomice	Kucherlapati, Jakobovits, Klapholz, Brenner, Capon
08/462,513	6/6/95	Generation of Xenogeneic Antibodies	Kucherlapati, Jakobovits, Klapholz, Brenner, Capon
US96/05928	4/29/96	Human Antibodies Derived from Immunized Xenomice	Kucherlapati, Jakobovits, Klapholz, Brenner, Capon
08/412,777	3/29/95	Production on antibodies using cre-mediated site specific recombination	Jakobovits, Zsebo
08/412,826	3/29/96	Production on antibodies using cre-mediated site specific recombination	Jakobovits, Zsebo
08/426,555	4/4/95	Generation of Large Genomic DNA Deletions	Jakobovits, Tsuda
08/619109	3/20/96	Switch mediated site-specific recombination	Jakobovits